

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JUDGE JOHN GLEESON  
CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★SEPT 29 2005★  
X

RAUL SOTO RIVAS,

Plaintiff,

JUDGMENT  
05-CV- 3001 (JG)

-against-

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

X

An Order of Honorable John Gleeson, United States District Judge, having been filed on September 26, 2005, reversing the Commissioner's decision, pursuant to the sixth sentence of 42 U.S.C. § 405(g); remanding plaintiff's claim in order to locate the administrative record; and directing that if, after ninety days from the date of this Court's Order, the administrative record cannot be located, then plaintiff's disability claims file will be reconstructed, a supplemental hearing will be held and a new decision will be issued; it is

ORDERED and ADJUDGED that the Commissioner's decision is reversed, pursuant to the sixth sentence of 42 U.S.C. § 405(g); that plaintiff's claim is remanded in order to locate the administrative record; and that if, after ninety days from the date of this Court's Order, the administrative record cannot be located, then plaintiff's disability claims file will be reconstructed, a supplemental hearing will be held and a new decision will be issued.

Dated: Brooklyn, New York  
September 27, 2005

s/Robert C. Heinemann

ROBERT C. HEINEMANN  
Clerk of Court